

Amendments To The Drawings:

The attached drawing sheets include changes to FIGS. 5 and 6. These sheets contain corrections highlighted in pink for the examiner's approval and are requested to replace the original sheet of FIGS. 5 and 6.

Attachment: Replacement Sheet of FIGS. 6 and 6.

Annotated Sheet Showing Changes to FIGS. 5 and 6.

REMARKS/ARGUMENTS

1. In the Office Action, the Examiner stated that the Applicant did not give a post office address anywhere in the application as required by 37 CFR 1.33(a).

The Applicant has provided with this response, an annotated oath/declaration, which provides therein, the Applicant's post office address when the application was originally filed.

2. The Examiner objected to the drawings because the reference numeral "211" was used to designate both "a receiving groove" and a "brush frame." The Examiner cited this improper usage on page 11 at lines 15 and 16.

In response to this objection, the specification text on page 11 at lines 15 and 16 was searched for the improper reference numeral usage and no such usage was found on page 11 at lines 15 and 16. By searching the specification text published by the USPTO on its web site using a browser, it was determined that reference numeral "211" is used to identify two different structures in paragraph [0054] of the published application. Paragraph [0054] of the published application is located on page 13 at lines 8 and 9 of the application as filed. The Applicant has therefore amended paragraph [0054] which is located on page 13, between lines 8 and 16.

In lines 8 and 9 of page 13, "211" has been changed to --211a--.

Since the objected-to use of reference numeral "211" to identify two structures has been corrected by amendment to the specification, there is no need to submit corrected formal drawings as requested by the Examiner on page 2 in paragraph 2.

3. The drawings were also objected to because they did not include a reference numeral "311a" which is used in the specification to identify grooves in the height adjusting knob. In response, the Applicant has submitted herewith a replacement sheet for Fig. 5 and Fig. 6, and an annotated sheet showing the changes to Fig. 5 and Fig. 6. The Examiner will note that reference numeral "311a" has been added to both of these figures and this reference numeral identifies the grooves in the rotatable height adjusting knob.

4. Claim 4 was objected to because of a typographical error. The word "sating" should have been spelled --seating--. Claim 4 has therefore been amended to change

"sating" to --seating--.

5. Claims 7 and 8 were rejected under 35 U.S.C. Section 112, paragraph 2 as being indefinite. The Examiner stated that the limitation "the multiple fixing grooves" in line 1 of claim 7 had no antecedent basis.

Claim 7 has been amended to delete the definite article "the" in claim 7, thereby overcoming the rejection under Section 112 for both claims. In addition, claim 8 has been further amended to correct grammar.

6. Claims 1-6 and 9 were rejected under 35 U.S.C. Section 103(a) as being unpatentable over U.S. Patent 4,446,594 to Watanabe in view of U.S. Patent No. 6,363,573 to Harsh. The Examiner apparently contends that Watanabe discloses all of the limitations of Claim 1 because a review of paragraph 6 of the Office Action, which runs across both pages 4 and 5, reveals that the Examiner did not identify any limitation of claim 1 that was not disclosed in Watanabe.

Claim 1 has been amended to recite that the height adjusting knob of the claimed height adjusting apparatus is horizontal. The claim has also been amended to recite that it has a rod member attached to the height adjusting shaft, which extends upwardly and away from the height adjusting shaft at its attachment point to contact the cam curved portion of the height adjusting knob. The rod member is also claimed as being substantially orthogonal to the horizontal height adjusting shaft.

Referring now to the Watanabe reference, Fig. 4 shows what arguably corresponds to the claimed horizontal height adjusting shaft of claim 1, however, the shaft shown in Fig. 4 of Watanabe does not have any sort of rod member element attached to it such that the rod member is orthogonal. There is also no structure shown in Fig. 4 of Watanabe that is orthogonal to the rod 17 and, which extends upwardly to contact a cam curved portion of a rotatable height adjusting knob.

The Applicant submits that the amendment to claim 1 clearly avoids the Watanabe reference. As for the Harsh reference, there is no structure in the Harsh reference that corresponds to the elements of claim 1. Similarly, the Jailer reference, i.e., U.S. Patent No. 6,081,963, is also devoid of a horizontal height adjusting shaft having a rod member attached to it which is substantially orthogonal, extends upwardly

and engages the bottom or lower portion of a rotatable height adjusting knob.

In view of the amendments to claim 1, it and each of the claims that depend from it are allowable over the prior art cited by the Examiner. Reconsideration of the pending claims is therefore respectfully requested.

Importantly, the Examiner determined that claims 7 and 8 would be allowable if they were rewritten to overcome their rejections under 35 U.S.C. Section 112. The Examiner also determined that claims 11-13 would be allowable if they were rewritten to include all of the limitations of the base claim and any intervening claims.

Since claim 1 has been amended to avoid the prior art and is allowable, all of the remaining claims, which depend from claim 1, are also allowable over the prior art of record. Reconsideration and allowance of the claims is respectfully requested.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Joseph P. Krause", written over a horizontal line.

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APPENDIX OF ATTACHMENTS

Application Serial No. 10/667,838
Reply to Office Action of August 8, 2006

**Replacement Sheet of FIGS. 5 and 6
(a total of 1 sheet of drawings)**

and

**Annotated Sheets Showing Changes of FIGS. 5 and 6
(a total of 1 sheet of drawings)**



FIG. 5

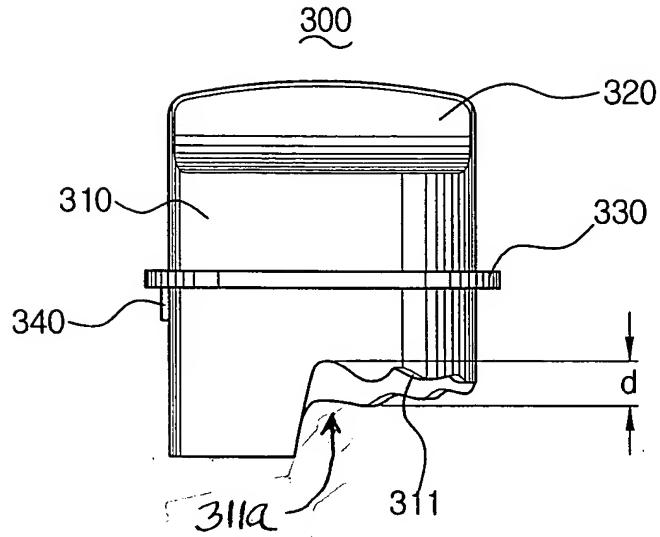


FIG. 6

